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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**
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5 ANTHONY J. BROOKS,
6

Plaintiff,

7 v.
8 JACQUELINE BRYANT,
9 Defendant.

3:19-cv-00457-APG-CBC

ORDER

10 **I. DISCUSSION**

11 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections
12 ("NDOC"), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No.
13 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to
14 proceed *in forma pauperis*.

15 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must
16 complete an application to proceed *in forma pauperis* and attach both an inmate account
17 statement for the past six months and a properly executed financial certificate. The Court
18 will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter
19 of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file
20 an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for
21 this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must
22 file a fully complete application to proceed *in forma pauperis*.

23 **II. CONCLUSION**

24 For the foregoing reasons, **IT IS ORDERED** that the Clerk of the Court **SHALL**
25 **SEND** Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner,
26 as well as the document entitled information and instructions for filing an *in forma pauperis*
27 application.

28 **IT IS FURTHER ORDERED** that within **thirty (30)** days from the date of this order,
Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on

1 the correct form with complete financial attachments in compliance with 28 U.S.C. §
2 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
3 fee and the \$50 administrative fee).

4 **IT IS FURTHER ORDERED** that if Plaintiff does not timely comply with this order,
5 the court will enter a report and recommendation to dismiss this action.

6 **IT IS FURTHER ORDERED** that the Clerk of the Court shall retain the complaint
7 (ECF No. 1-1), but shall not file it at this time.

8 DATED: 9/27/2019

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11 **UNITED STATES MAGISTRATE JUDGE**
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